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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,505	09/20/2006	Tiziano Brombin	377/9-2292	1698

28147 7590 01/10/2008  
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EXAMINER
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PARADISO, JOHN ROGER

ART UNIT	PAPER NUMBER
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3721

MAIL DATE	DELIVERY MODE
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01/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/593,505

Applicant(s)

BROMBIN, TIZIANO

Examiner

John R. Paradiso

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 10/24/2007 have been fully considered. Examiner notes that the previous Office Action mistakenly addressed claims 1-6 and 9-10, when the rejection should have been directed to claims 1-11.

The rejection has been reprinted and the corrected version appears below. This action supersedes the previous Office Action.

Examiner apologizes for any confusion.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over BOUCHER (US 3172434) in view of ACHHAMMER (US 6185910).

BOUCHER discloses a method and apparatus for filling containers until a weighing device at a weighing station indicates the container is full. (see column 5:35-42).

BOUCHER does not disclose a bottle treatment station or step.

ACHHAMMER discloses a method and apparatus for bottling in which the bottles are moved through a disinfecting station (6) prior to filling.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of BOUCHER by adding the bottle disinfecting station taught by ACHHAMMER in order to provide greater cleanliness for the packaging process.

Regarding claim 3, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use hydrogen peroxide in the combination of BOUCHER and ACHHAMMER or whatever type of sterilizing / cleaning liquid is most effective against the type of contamination the operator wishes to remove, since soap and water and hydrogen peroxide are art-recognized equivalents for the sterilization of containers.

Regarding claim 4 and 7, the bottles of the combination of BOUCHER and ACHHAMMER would inherently produce a laminar flow of drying air due to the geometry of the containers: laminar flow initially, breaking into turbulent flow as the bottle curves.

Regarding claim 9, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make as many canals in the nozzle as necessary to provide the desired amount of airflow, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

***Reference Citations***

4. The following prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

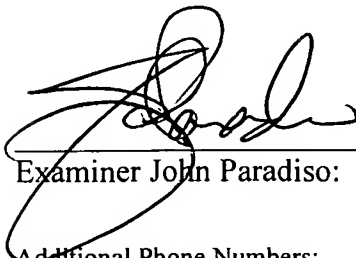
- STRIEDIECK discloses a method and apparatus for cleaning articles in which articles are cleaned with a treatment liquid, after which the treatment liquid is collected in a lower portion of chamber (14) and then recirculated back by main deliver line (77).
- CLÜSSERATH ET AL discloses a method and apparatus in which bottles (2) are moved by means of a series of starwheel conveyors through each station. A rinser station (101) rinses the bottles (column 3:12-15)

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center Receptionist.



Examiner John Paradiso: (571) 272-4466

January 7, 2008

**Additional Phone Numbers:**

Supervisor Rinaldi Rada: (571) 272-4467  
Fax (Official): (571) 273-8300  
Fax (Direct to Examiner) (571) 273-4466 (Drafts only)